

REMARKS

By this Amendment, claims 3-5 and 11-13 are amended, and claims 1, 2, 6-10 and 14-16 are canceled without prejudice or disclaimer. Accordingly, claims 3-5 and 11-13 are pending in this application. Reconsideration is respectfully requested.

The Office Action objects to the drawings. The Office Action asserts that "Figure 8 should be designated by a legend such as --prior art-- because only that which is old is illustrated." However the specification on page 2 describes Figure 8 as "an earlier development," not as statutory prior art. Accordingly, Figure 8 is amended to be designated by the legend "related art." Applicant respectfully requests that the objection to the drawings be withdrawn.

The Office Action rejects claims 1 and 9 under 35 U.S.C. §102(e) over U.S. Patent No. 6,449,741 to Organ et al. (hereinafter "Organ"). By this Amendment, claims 1 and 9 are canceled, thereby rendering this rejection moot.

The Office Action rejects claims 2, 4-5, 10 and 12-13 under 35 U.S.C. §103(a) over Organ in view of U.S. Patent No. 6,536,006 to Sugamori. This rejection is moot with respect to canceled claims 2 and 10, and is respectfully traversed with respect to the remaining claims.

The Office Action admits that Organ does not teach a counter, and relies on Sugamori to supply the missing subject matter. However, Applicant submits that Sugamori does not disclose or suggest "when a counter value counted by the counting circuit is equivalent to the number of the measurement circuit, the specifying circuit specifies the measurement circuit where the test condition data written to each measurement circuit is different from one another, at a point when the test condition outputting circuit finishes outputting the test condition data," as recited in claims 3 and 11, or "when the counter value is 1, the multiplexing circuit outputs the test result data respectively from the predetermined output

terminals, and when the counter value is equivalent to the number of measurement circuits, the multiplexing circuit operates an AND operation of the test result data and output of computed result obtained by the AND operation from the predetermined output terminal," as recited in claim 5. Support for the claim amendments can be found in the specification, for example, in paragraph 60 through paragraph 71 on pages 18-21.

Sugamori discloses only that "an address controller 58 is, for example, in the most simple case, a program counter. The address controller 58 controls the address supplied to the failure data memory 57 and the event memory 60." (See column 8, lines 62-65). The only relationship disclosed in Sugamori is between the program counter and the failure data memory 57 and the event memory 60. Sugamori does not disclose any relationship between a program counter and which measurement circuits the test condition data is written to. Therefore, Sugamori does not disclose "when a counter value counted by the counting circuit is equivalent to the number of the measurement circuit, the specifying circuit specifies the measurement circuit where the test condition data written to each measurement circuit is different from one another, at a point when the test condition outputting circuit finishes outputting the test condition data," as recited in claims 3 and 11.

Furthermore, although Sugamori discloses that "the processor 67 ... controls ... acquisition of failure data," (see column 8, lines 50-55), nowhere in Sugamori is it disclosed that the processor acquires the failure data based on the counter value. Accordingly, Sugamori does not disclose "when the counter value is 1, the multiplexing circuit outputs the test result data respectively from the predetermined output terminals, and when the counter values are equivalent to the number of the measurement circuits, the multiplexing circuit operates an AND operation of the test result data and outputs a computed result obtained by the AND operation from the predetermined output terminal," as recited in claim 5.

Because the analog/digital characteristic testing device of the present invention includes the above features, it can set various test condition data to a plurality of measurement circuits in any of a number of ways. For example, the number of circuits in one device-under-test and the number of devices-under-test in one measurement can be set by specifying the counter value, without complex operations or programming. Neither Organ nor Sugamori acknowledges these advantages, and neither is directed to improving the setting method.

Accordingly, the combination of Sugamori and Organ does not disclose or suggest each and every feature recited in claims 3, 5 and 11. Claim 4 depends from claim 3, and claims 12-13 depend from claim 11. Therefore, claim 4 and claims 12-13 are patentable for at least the reasons set forth above with respect to claims 3 and 11, as well as for the additional features they recite. Applicant respectfully requests that the rejection of claims 4-5 and 12-13 under 35 U.S.C. §103(a) be withdrawn.

The Office Action rejects claims 3 and 11 under 35 U.S.C. §103(a) over Organ in view of Sugamori and further in view of Applicant's allegedly admitted prior art, Figure 8. Applicant submits that nowhere in Figure 8 is the feature recited of "when a counter value counted by the counting circuit is equivalent to the number of the measurement circuit, the specifying circuit specifies the measurement circuits where the test condition data written to each measurement circuit is different from one another, at a point when the test condition outputting circuit finishes outputting the test condition data," as recited in claims 3 and 11. Therefore Figure 8 does not remedy the deficiency of Organ and Sugamori with respect to claims 3 and 11. Applicant respectfully requests that the rejection of claims 3 and 11 under 35 U.S.C. §103(a) be withdrawn.

Claims 6 and 14 are rejected under 35 U.S.C. §103(a) over Organ in view of Applicant's allegedly admitted prior art. By this Amendment, claims 6 and 14 are canceled, rendering this rejection moot.

The Office Action rejects claims 7, 8, 15 and 16 under 35 U.S.C. §103(a) over Organ and further in view of Sugamori and Applicant's allegedly admitted prior art. By this Amendment, claims 7, 8, 15 and 16 are canceled, rendering these rejections moot.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 3-5 and 11-13 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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WPB:JKS/scg

Attachment:
Replacement Sheet

Date: June 25, 2004

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